

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 16-4301

UNITED STATES OF AMERICA

v.

ROBERT SMITH,
a/k/a “B”, a/k/a “Born”

Robert Smith,
Appellant

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
(D.C. Crim. Action No. 1-14-cr-00152-001)
District Judge: Honorable Noel L. Hillman

Submitted Under Third Circuit L.A.R. 34.1(a)
October 23, 2017

Before: GREENAWAY, JR., NYGAARD, AND FISHER, *Circuit Judges*.

JUDGMENT

This cause came to be considered on the record from the United States District Court for the District of New Jersey and was submitted pursuant to Third Circuit L.A.R. 34.1(a) on October 23, 2017. On consideration whereof, it is now hereby ORDERED and ADJUDGED by this Court that the District Court’s discovery order dated November 9,

2015 is VACATED and REMANDED for further proceedings only as to the District Court's ruling on the selective enforcement claim. With respect to the remainder of the appeal, the appeal will be held C.A.V pending the District Court's proceedings on remand. All of the above in accordance with the Opinion of this Court.

ATTEST:

s/ Patricia S. Dodszuweit
Clerk

Dated: January 31, 2018